



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(201)

**CRM-M-56074-2024 (O&M)
Date of Decision: 04.7.2025**

Harjit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Rajiv Joshi, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 0111 dated 27.9.2024, under Sections 323, 406 and 498-A IPC, registered at Police Station Women, Police Commissionerate, District Jalandhar.

2. Vide order dated 17.1.2025, the arrest of the petitioner was stayed. The said order is reproduced hereinafter:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0111 dated 27.09.2024 under Sections 323, 406 and 498-A of IPC, registered at Police Station Women, Police Commissionerate District Jalandhar.

2. *Learned counsel for the petitioner, inter alia, submits that the petitioner is the mother-in-law of the complainant and she has been falsely implicated in this case. The marriage of son of the petitioner*



and the complainant was solemnized on 09.05.2023. The petitioner is 60 years old lady and she never made any demand for dowry.

3. *Notice of motion.*

4. *Mr. Davinder Bir Singh, Senior DAG, Punjab waives service of notice on behalf of the respondent-State and in compliance to the order dated 12.11.2024 he has filed the status report by way of affidavit of Assistant Commissioner of Police, Special Branch and Criminal Intelligence CumCAW&C, Jalandhar, which is taken on record.*

5. *List on 17.02.2025.*

6. *In the meanwhile, the arrest of the petitioner shall remain stayed till the next date of hearing.*

7. *Needless to mention that the concerned Investigating Authority/Officer shall continue with the investigation in usual manner. ”*

3. Subsequently, since some articles were yet to be recovered from the petitioner, therefore, vide order dated 12.5.2025 he was directed to re-join the investigation and co-operate with the investigating officer.

4. Learned State counsel on instructions from the investigating officer concerned submits that even though in compliance of order dated 12.5.2025, the petitioner has joined the investigation on 23.5.2025. However, certain articles are yet to be recovered from him.

5. Per contra, learned counsel for the petitioner while placing reliance on the judgment of the co-ordinate Benches of this Court passed in ***CRM-M-46526-2022*** titled as '***Shiv Kumar versus State of Punjab***' and in ***CRM-M-11808-2020*** titled as '***Sunita Mahajan and another versus State of U.T., Chandigarh***', submits that the purported non-recovery of dowry articles cannot be made the sole basis to curtail liberty of an individual.

6. It has been advanced that the petitioner has jointed investigation. Given the fact that the petitioner is the 60 years old mother-in-law of the complainant, curtailing her relief on the ground of non-



recovery of certain dowry articles would not be apposite under such circumstances.

7. In view of the above and considering the fact that the similarly situated co-accused Jaspal Singh has also been granted anticipatory bail by this Court on 28.1.2025, the instant petition is hereby allowed. Orders dated 27.1.2025 and 12.5.2025 passed by this Court, are hereby made absolute.

8. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

9. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

10. The accused-petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

11. The accused-petitioner shall not leave India without prior permission of the Court.

12. The accused-petitioner shall join the investigation as and when called by the police.

13. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.



14. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

July 04, 2025
Gurpreet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No